

JOSEPH P. MCMONIGLE State Bar #66811
GLEN R. OLSON State Bar #111914
LONG & LEVIT LLP
465 California Street, Suite 500
San Francisco, CA 94104
TEL: (415) 397-2222 FAX: (415) 397-6392
jmcmonigle@longlevit.com; golson@longlevit.com

Attorneys for Plaintiff
WESTERN RESERVE LIFE ASSURANCE
COMPANY OF OHIO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WESTERN RESERVE LIFE
ASSURANCE CO. OF OHIO,

Plaintiff,

vs.

NYOOKE FOONG YAP LAW, KHUAN
THAI WONG, LISA LEE and DOES 1-
20,

Defendants.

CASE NO. C08 4611 – JL

~~PROPOSED~~ AMENDED ORDER
DISMISSING CASE AND DISTRIBUTING
LIFE INSURANCE PROCEEDS

CMC: AUGUST 12, 2009
TIME: 10:30 a.m.
COURTROOM: F

Chief Magistrate Judge James Larson

Action Filed: October 3, 2008

GOOD CAUSE APPEARING THEREFOR,

IT IS HEREBY ORDERED AS FOLLOWS:

1. The \$275,598.67 in WRL life insurance proceeds deposited with the Court registry on October 3, 2008 is to be distributed as follows: (a) \$203,325.59 to LEE as her 75% share of the proceeds of the WRL policy; (b) \$32,763.14 to LAW as her 12.5% share of the proceeds of the WRL policy; (c) \$32,646.03 to WONG as her 12.5% share of the proceeds of the WRL

1 policy, including withholding of \$117.10 in U.S. Federal taxes on the settlement interest earned
2 by WONG, a non-U.S. citizen, on the interpled WRL policy proceeds; and (d) \$6,863.91 to WRL
3 representing \$6,746.81 for reasonable attorney's fees and costs associated with this Interpleader
4 action and the \$117.10 in U.S. Federal tax withheld on the payment of funds to WONG, a non-US
5 citizen;
6


7 2. Checks may be distributed by the Clerk of the United States District Court for the
8 Northern District of California to WRL, LAW, WONG and LEE in the amounts set forth in
9 Paragraph 1; and

10 3. Upon distribution of checks in the amounts set forth in Paragraph 2, the Parties
11 consent to the Court's dismissal of this Interpleader action filed by WRL.
12

13
14 DATED: July ²⁰__, 2009
15

16 UNITED STATES DISTRICT COURT

17
18 By


19 Hon. James Larson
20 Chief Magistrate Judge
21

22 DOCS\5209-013\566619.V1
23
24
25
26
27
28